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AN
OUTLINE
OF
GENERAL REFORM
OF THE
BRITISH CONSTITUTION.

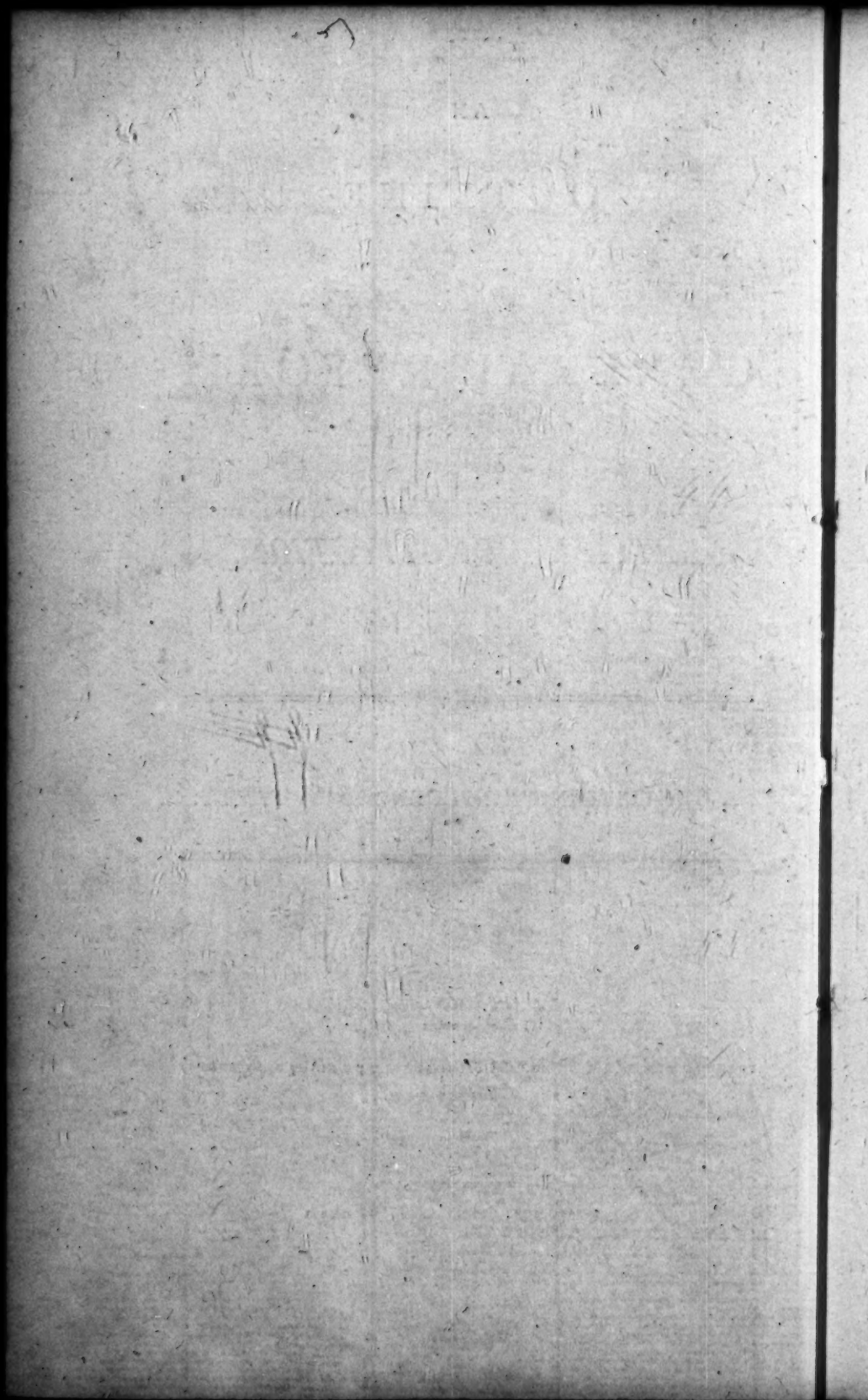
BY
A GENTLEMAN UNINFLUENCED BY PARTY.

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INTRODUCTORY OBSERVATIONS.

WHEN a deceitful attempt, to impose upon the credulity of a generous People, becomes ostensibly manifest, it is high time that every just explanatory endeavour should be urgently used, in order to counteract a false influence, that pointedly aims to make every individual the ridiculous self-devoter and contemptible conceder, of his due national indispensable rights and benefits; so to become his own thoughtless executioner, by committing upon himself the most direct political suicide.

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The Parliaments of last Session, and the diurnal prints of authority, have lately held forth a specious declaration, that this kingdom enjoys a system of Government so admirably complete, and so perfectly administered in every part, that the People must needs be contented, and set down convinced that they are so superlatively happy, that not one public advantage, one political wish remains ungratified, that can possibly add to their comfort and welfare.

To give an implicit credit to these declarations, however, would be a strange infatuation indeed.

That the system of our Government, when reduced to its pure originality, is most excellent, will be readily admitted; but that the administration of its several parts are wonderfully imperfect, and in some instances insufferably injurious, will be shewn to a demonstration by the following sheets. The People are however told, that this is not a proper time for Reform;—but be that as it may; the point, the misfortune is, they are at the same time deceitfully and falsely told, that
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there needs no Reform at all ; and are desired to look at the present anarchy and confusion of France, for the bad consequences, which it would be inferred, must ever follow all attempts at Reformation—curious doctrine this!

To see a weak skeleton-like pigmy of a dwarf, used to command, mercilessly trampling upon and treading under foot a gigantic fellow-creature of Herculean strength, used to submit, and ignorant of his power, must naturally create indignation at the presumptive despotism of the one, and admiration at the thoughtless, pusillanimous forbearance of the other ; but when the injured party, by long suffering, at length makes use of the intellects with which Nature hath endowed him, and discovers that he is unwarrantably oppressed, must not that man be a perfect idiot who would say, that the distressed object is not authorised by every Godly and mortal law, to emancipate himself from this most unnatural yoke of tyranny ? Just such as is this faithful individual miniature, is the great revolt at the old government of France ; the cause

was extorted, noble and worthy of an enlightened People.

Do not, therefore, my Fellow Countrymen, in shallow forgetfulness, wrongfully attribute the ill effects that have followed in secondary consequences; but keep ever in memory that from hence, from a long insufferable repetition of damnable abuses in their Government, this anarchy and confusion have originally arisen: and if a seeming vengeance has fired the breast of an oppressed people; where is he who in treacherous sanctity will hardily say, that the emotions of his nature would not have been thus actuated?

When therefore Great Britain is told to look at France as a check to reasonable complaints and remonstrances; be it so; for at the same time must and will be both perceived and admired, a most noble example of patriotism in the original cause, neither to be debased by artful sophistry, nor obliterated by intended misrepresentations:—and be the fate of their present defensive war whatever it may; behold the great ultimate end obtained; upon
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the ruins of despotism the establishment of a mild and lenient Government; for none other will now be stable in France.

A monarchy unsupported by an ennobled aristocracy, as the necessary intermediate bar between it and the People, does certainly appear to be an incompatible principle that cannot well be of permanent duration; and from hence was it from the first sufficiently evident, that the Revolution Government of the French, could not long exist in its thus appointed state: it is true that it was nominally monarchical, but the leading features were ever decidedly republican. Not one jot, however, doth it signify to the subject in question, what errors they may have committed in their subsequent establishments; absurd indeed must it be to fix as a rule (which is nevertheless inculcated) that because France flushed with unusual liberty, and having a new system to build from the very foundation, may hastily have missed the true standard of moderation and order; that Great Britain, having only to reject injurious encroachments upon a Government generally approved

approved by the country, should run into similar excesses: but still even more absurd must it be, supinely to groan under known evident certain perversions of good, from any such futile and groundless apprehensions.

Depend upon it, it is not by an overreaching endeavour to fix and confirm known ills; that Great Britain, or indeed any enlightened country, is to be kept orderly and peaceable; but by directly the very opposite conduct; that of not pretending attempting, but *bona fide* actually redressing all evident grievances that oppress the People: then, indeed, may tranquillity be rationally expected, to be firmly and unerringly secured against all invaders; for then will the general voice loudly manifest an universal joy and satisfaction.

And here it may be well to remark, that whatever regulations France, Great Britain, or any other power may adopt, that respects only their internal Government, (be the same of what nature, or how apparently strange soever) should undoubtedly be the unawed genuine choice of the Natives, totally

tally free from foreign controul: for if it was to be a fixed rule in Europe, for one Kingdom to interfere with the internal Government of another, then must wars upon wars follow each other so quickly, as to desolate the human race, and stain with blood the farthest corner of the land:—besides this, every such interference must always be so decidedly interested in the intent, (though ultimately not so) as to raise the indignation of every impartial reflector; because when one power prescribes and enforces the internal regulations of another, no axiom of Euclid is more certain, than that the dictating power constantly aims at the promotion of her own advantage, in preference to, and at the expence of that of a People, to whom, with lying proclamations, she professes a sincerity of proffered friendship:—away, therefore, with this old accursed practice of fawning, pampered, misusing courts, and let virtue, truth, and the ultimate benefit of mankind, reign triumphant in European improvement.

The present graceless conduct of some foreign courts, however, but too well warrants

rants the pointing to the purport of this remark, as a fundamental maxim of Government, highly worthy of being generally inculcated, in all our national negotiations; and from this motive only is it here introduced, and not from the smallest supposition of any such interference, with whatever internal regulations this country may find necessary to adopt; of which interference, indeed, there is not positively the most shadowy cause to surmise. Neither, in fact, is there more reasonable ground, for the apprehension of internal commotions, in any degree resulting from a scrutinizing enquiry into injurious and evident abuses, that are nearly arrived at the very perversion of a system of Government, in itself both well adapted and well approved; and to suffer vague, groundless fears, to stand in competition with clear, substantial, permanent advantages, would be truly weak, mean, dastardly, and impolitic:—and as to see this our original system of Government, in its purest and best approved state, must be the united wish, and ought to be the united endeavour of every born Briton,

ton, the following general outline of Reform of the British Constitution is brought forward, in the firm persuasion, that no future time will arrive, to afford a more uninterrupted opportunity of entering into these topics, than the present; very principally, because France, the only power whom we have hitherto been accustomed to look upon as our general consequential foe, is so completely employed with her own concerns, as to be totally unable to take any possible advantage of our proceedings; a circumstance so decidedly apt, as may never again be presented to this kingdom. Besides this, no period can be more proper, than when totally divested of every external trouble or apprehension, which not only affords fit and ample leisure to turn our thoughts to internal improvements, but in fact directly points out such conduct as a necessary duty: wherefore, it is judged, that a variety of circumstances combine, to produce at once benefit and order, with the most effectual surety, by an adoption of the principles of this plan.

But previous to the enumeration of particulars,

particulars, the Author, in most perfect deference, submits the articles, one and all, to the considerate reflection of a discerning People, with this only desire, that they will, in the perusal, divest their sentiments of the powerful bias and rooted prejudice of ill-confirmed custom; when, be their decision upon the various subjects, in part, or in the whole, whatever it may, the Author assuredly bends in profound respect (consistent with the grand principle he inculcates) to their unanswerable voice; for to the determination of a People is greatly due, an implicit reference and conformity, in the establishment of all national regulations.

Further, it must be observed, that writers and statesmen, from an interested fear of obloquy, very seldom produce to the world political facts that respect an improvement of Government, however sensible they may themselves be of both their necessity and efficacy, without previously considering whether or no such facts are to be favourably received by the country; that is to say, from a selfish motive their aim is generally more to please than to instruct or inform;

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in this, when their works are addressed to uncultivated ignorant minds, irremoveably chained to stupid habitude, there may perhaps be somewhat of prudence, though little of patriotism: but the Author, confiding in the enlightened political improvement and discerning perception of the present generality of this nation, freely ventures, unawed by the great or the little, to set forth to view such plain, unadorned truths, that must speak for themselves, and by the mere soundness of their principles only, make their dubious way to grace and favour.

GENERAL OUTLINE OF REFORM

OF THE

BRITISH CONSTITUTION:

AND FIRST OF THE CHURCH.

Episcopacy, in a pure, incorrupt, and well adapted form, is excellently calculated for the furtherance of religion, and the maintenance of order; it also produces a refined

refined degree of enlightened knowledge in letters, arts, and sciences, and tends gradually to change the rude, uncultivated, boisterous nature of a People, into polished manners, social happiness, and sound morality.

Episcopacy, on the contrary, in an impure, corrupt, and ill adapted form, is calculated only for the detriment of religion, and the production of disorder; it then promotes prodigality and licentiousness, depraves the taste and judgment, gives rise to dissatisfaction and disunion, and lastly, causes the ultimate return of ignorance, tumult, and immorality.

Better, therefore, than episcopacy in this state, is a religious establishment without Bishops; but infinitely better than such an equality of Clergy without regulating conductors, is episcopacy in its original perfection: let it therefore be our first study so to render the Church of England.

The common, and indeed weighty objection to cathedral establishments, is the enormous expence they have usually occasioned; but it must at the same time be considered,

sidered, that this enormity of expence is by no means a necessary consequence; it is rather a derogation, than a support, to the institution, and ought, wherever experienced, to be instantly diminished to that fair standard of moderation, which the particular circumstances of a country makes consistent with reason and the public welfare: every expence beyond this, merits reprobation; for it then becomes the direct subverter of an admirable good, and an insufferable imposition on the generosity of the People. Upon these undeniable considerations, therefore, is founded

Article I. That the supreme leader of the Church, the Archbishop of Canterbury (or in truth it should be of London) be limited to the fixed ample revenue of 6000l. a year.

The Archbishop of York to 5000l.

And Bishops in general to 4000l.

Durham, being by the Union of Scotland and England, freed from northern commotions, now requires no addition of power whatever beyond the usual establishment of Bishops, and therefore is included.

It

It cannot be denied that these are incomes, that will effectually call forth the first abilities, and the highest worth; beyond this is injuriously superfluous; as it is not consistent with the sedate duty of this office, to wanton in luxurious revelry.

II. That no Bishop, Dean, Prebend, or any of the cathedral clergy or officers, shall hold any exclusive living or appointment.

This is highly necessary to diminish the expence of cathedrals; thus reducing them at once to the original intention.

III. That the Bishops shall be obligated to reside, (when their attendance is not required or necessary in the House of Lords) constantly in their several dioceses, and scrupulously attend to their duty, in regulating the order of the inferior Clergy, and particularly in confining them one and all, to the regular established form and doctrine; and it will be well for them to recollect and remember, that it is for such purposes that they receive a very highly favoured gratuity.

As Generals and Colonels are serviceable and necessary to an army, so are Bishops to
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the Church; but as to the former, so to the latter there is very much of duty and observance attached; without this duty, they equally become at once an unprofitable burthen, the more dangerous, as important reliance and confidence is implicitly placed upon their establishments.

IV. That the Deans, Prebends, &c. do also reside constantly at their appointments.

V. That there be no plurality of livings.

VI. In order to do away the many inconveniencies and continual animosities, that do and must ever arise from providing for the maintenance of the Clergy, by the accustomed mode of tything, it is highly necessary to abolish this jarring system in *toto*, and to establish in lieu of it, an ecclesiastical tax upon lands and houses, to be received by the incumbent of every living, for their respective parishes.

The tax on land to be in amount exactly one tenth of the annual rental, and levied upon the different occupiers according to what they hold.

The tax upon houses to be levied upon the tenants also; but, however, to be completely

completely moderated, so as to have an accordance to the present proportion by which houses now pay to the Clergy. By this means a suitable provision will be made for the Church, that will always preserve a necessary equality to the times, either by the rising or falling of the rentals; thereby at all times very properly and fairly regulating the incomes of the Clergy, to the true standard of the country:—by this means also, will the lives of the clergy be rendered pleasant, peaceable, and happy, by putting it entirely in their own power, to live in perfect amity and friendly intercourse with the generality of their parishioners.

VII. That as the education of children in tenets and forms of religion, contrary to that established and expressly ordered by the majority of the People, has been, is, and ever while countenanced will be highly and conspicuously prejudicial, equally to those very children, as to the kingdom at large; consequently any and every such attempt to instill into youth, religious prejudices, that can never be erased; prejudices that confirm disunion, and lead to civil war; prejudices

prejudices that defy law, and the fixed order of the state, it were folly most egregious, and actual bare-faced injustice to the general mass of the People, any longer to suffer with impunity; therefore, however contrary to past and present negligence, a necessary restraint must be laid upon the education of the rising generation.

Should, however, the tender conscience of the minority be set up as a bar to this article, the fallacy, not to say the folly of such an argument is thus easily exposed:—because upon the same principle exactly, the tender conscience of each individual of the majority, must likewise determine him to suppress every injurious intrusion on the mode of religion appointed thereby, not merely from a self-interested motive, but from an attention to the general welfare of the community;—therefore, it clearly follows, that if the sway of conscience be admitted to preside in this argument, that of the majority of a People, will and must ever decidedly outweigh that of the minority. But now to shew the fallacy of at all admitting such a deceptive argument, it must be

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considered

considered that what in religion is called tender conscience, is neither more nor less, than the actual sole and direct gift of education; and as no native soever, be his disposition ever so mild and social, will or can be perfectly satisfied with the Government of his Country, while he knows that his neighbour enjoys superior privileges, from which he thinks himself unjustly debarred, (for so must and will he think until he attains the utmost perfect equality of participation) consequently there can be no impropriety in saying, that the very same man, who through the zeal of this stupidly given conscience, becomes dissatisfied, turbulent, and even ultimately rebellious, ever watching the direful opportunity favourable to his natural purpose, at the same time totally regardless of the ill he is working, because actuated by the blind belief of a just and pure intention; so this self same man, thus educated to his own and his country's danger, would have become, by a proper restraint upon his religious education, (how enticingly reverse) happy in himself, content with his lawful beneficial rights, and a powerful

erful addition of strength, by uniting, friend-like, in the established harmonious compact of his fellow-countrymen. Under these premises, then, it cannot but be decidedly obvious, that the religious conscience of amity and brotherly love should be engrafted upon our youth, ere the mind becomes corroded and politically ruined. But here is much to be lamented, the Establishment fixed at the Union of Scotland and England; as it renders this otherwise blessed Union far from complete; for this diversity and contrariety of authorised tenet, militates directly against the perfection of both religious and civil Government, as well as retards and obstructs individual sociality and happiness.

ECCLESIASTICAL LAW.

As a moderate Law, regularly and constantly enforced, will always have infinitely more effect, in obtaining the purpose for which it is made, than such as are allowed to be too rigorous for enforcement; it will be beneficial,

VIII. To reduce the Ecclesiastical Court

to the custom of this enlightened æra, with this difference only, that it be a fixed fundamental maxim, not to suffer, either in expression or action, any religious tenet whatever that bears the shadow of counteracting the express sovereign law of the land.

COMMON LAW.

Every man must be sensible, that laws are intended to be serviceable and open to all who may find it necessary to appeal thereto, in order to obtain substantial right and justice, equally void of all preference or partiality to the rich or the poor: but alas! every man must be likewise sensible, how very far short of this is the present practice of this kingdom: so much so, that it is and has been long allowed by prudent people, that it is better to give up a considerable right, than appeal to our present Courts of Law; such are their scandalous exactions and delays, and such the enormous certain loss occasioned by their quibbling numerous processes, to all intents and purposes

purposes destroying the direct intent of their establishment, and only calculated to fill the pockets of the professor: therefore, to obviate this monstrous perversion,

IX. Establish in the metropolis, at which the King, as the fountain of justice, shall preside by his Judges, one, and only one Court of Common Law, at which to be tried, every degree of offence, either against the peace of the King, the nation, or the subject. This will be one obvious means of simplifying the practice, that is now so complex as frequently to confound even the scientific; and at once do away all those strange chimeras, in the removal of causes from one Court to another.

X. All inferior distant Courts, to be as a branch of this one grand Court of Law, and to be ruled and controuled by its custom and decrees.

XI. That for the dispatch of business, this high Court of Common Law may consist of various Chambers and various Judges; but all equally of one and the same denomination, and subject to the same identical customs, privileges, and methods.

XII. That

XII. That these Judges and the Chambers of decision be changed irregularly from one to the other, so that the same Judge preside not two following Terms in the same Chamber; thereby rendering the different Chambers all perfectly equal.

XIII. That every cause, and the judgment given, be registered and kept for the optional reference of the Court or parties concerned.

XIV. That any and every cause brought into this Court, shall be tried, determined, and judgment given at one hearing and sitting; and the whole proceedings to the trial to be by one constant, plain, simple method, intelligible to a plain, common understanding. Thus a cause that now may be two years at issue, incurring an expence subversive of all law and justice, will meet an award equally true and impartial, according to the face it then wears, as speedily as is consistent with due deliberation, and at a very proper, but a very trilling expence.

XV. In order perfectly to satisfy the mind, if either party cast, chooses to retry the same cause upon the same grounds, without

out producing any additional proofs or evidence, they may, if they please, again repeat the trial at the next ensuing Term; when if the judgment accords with that of the former trial, it should and must be final upon these proofs and evidences. This second trial, and all future trials, to be by the same plain identical proceedings as the first: and further completely to simplify the proceedings, they must have no reference to the original trial, in any manner chargeable either to Plaintiff or Defendant, other than obliging both primarily to state to the Court, the particular day when such cause had been tried before, and the judgment that was then given.

XVI. But if either party cast, has at a future time, within the space of six months from the last trial, further substantial evidence or proofs to produce, the same cause may be tried again by the same process, without any law proceedings of reference to the former trials, other than primarily to state the time and number of them, and their judgments.

XVII. But if any Attorney or Professor of
Law,

Law, brings into Court a cause upon new proofs and evidences, that shall appear to the Court to be frivolous or malicious, thereby taking up their time wrongfully, such Attorney or Professor to be struck off the Rolls, and rendered incapable of practising in future in that Court.

XVIII. And whatever the judgment upon these new grounds may be, such determination to be completely final in this Court : because being now well acquainted with the case, and with the judgments that have before been given, they will not assuredly reverse the judgments, but upon solid clear reasons ; and therefore, as before said, this third judgment to be absolutely final at Common Law, with liberty of appeal to Equity as at present.

XIX. Where upon the second trial on the same proofs and evidences, the first judgment may happen to be reversed, a third trial upon the same grounds to be allowed at the next ensuing Term ; and whichever of the two former trials this may confirm, or whatever indeed its decision may be, to be completely final upon these proofs

proofs and evidences ; consequently no case upon the same grounds can be more than three Terms in receiving its ultimate judgment. This third to have no reference to the past trials, but as before said.

XX. But on this case should a further trial upon good and sufficient new grounds, proofs, and evidences, be required, it must be brought into Court within three months from the last judgment, upon the supposition of four Terms in a year ; and this trial upon the new grounds to be totally final as before.

Thus it will be perceived, that no case at Common Law can be longer than twelve months in receiving its ultimate sentence ; and as it will very rarely happen, that a cause will be brought into Court before the parties have collected their proofs and evidences, it will of course very seldom happen that a cause will not be immediately determined.

XXI. And that no trial may be unfairly brought forward, before the Defendant can have time to collect and produce his proofs and evidences ; the writ of notice of the Plaintiff's intention to bring a cause into the

the Court of Common Law, must be presented to the Defendant one calendar month or more, previous to the trial.

It seems likewise necessary, that in all and every case where the party cast intends to retry the cause at the next Term, that the said party should give notice of the same to the Court before the expiration of the then Term in which the sentence had passed, in order to regulate the execution; and likewise, that all future trials of one and the same cause, be tried in the same Chamber in which it was first brought forward, for the convenience of easy reference.

XXII. There cannot be a doubt but that the professional charges that are now allowed in cases where costs are given by the Jury, were originally such as was intended to constitute the exact price of law proceedings. Time, however, has so increased the charge which lawyers make to their clients, that when costs are now given, the justified party gaining the cause is nevertheless sorely and unwarrantably oppressed. This is totally contrary to the voice of common justice, and therefore it is necessary

sary to ascertain and substantiate precisely, the fair, reasonable, just recompenses, agreeing with the proportionate advanced state of the kingdom, that should hereafter be paid to the profession, as a full and suitable reward for their time, trouble, and proceedings, in all the various stages of law business; so that in future, where costs are given by the Jury in any cause, the absolute whole expence shall fall on the party cast, and consequently in the wrong. This will not only be found a just principle, but also beneficial in an extensive degree; because as law by this plan becomes easier of access, it will operate very properly as a check to malicious or petulant suits.

XXIII. It surely cannot have escaped common observation, that at present, when an appeal is made to law, in cases of abusive language, by terms of provoking insult, unjustifiable reproach, slander, and even on the defamation of characters, the custom is, and has been, mostly to give a verdict, with one penny to one shilling damages, or thereabouts; and this arises from a supposed wise, but in fact egregiously mistaken

taken lenity to drunkenness and disorder. Can any conduct be more strikingly productive of bodily contention, duelling, and riotous behaviour? Sure of meeting with a censorious false shame, (which should be studiously done away) without even the chance of proper redress at law;—the parties are naturally and inevitably driven to seek a heated, and what should not be established as an honourable revenge, the lamentable consequence of which is frequent death, not constantly to the aggressor, but often to the already injured party; and therefore does this article become an evident object of Reform, not so much perhaps from defect in the laws on this head, as from thoughtless customary practice; or the still more false conceit, that such apparently trifling matters are beneath the discussion of a high tribunal; whereas in fact every absolute individual thereof, who thus unnaturally argues, would, under the self-same circumstances, either follow the almost irresistible impulse of a violent personal revenge, or, if actuated by extraordinary prudence, sorely lament the unpropitious apathetical decision,

decision, to which he must otherwise submit.

Now first observe on these articles of law; that the process to every trial being exactly alike, and each trial separate, the useless incumbrance of the present refinements, (the artifice, the studied adulteration of science) is completely done away, while every needful substantiality to a just decision, remains clear and demonstrative. Upon such grounds, no just cause can be lost by the erroneous method of the Lawyer; no error committed in the process; the expence of each trial absolutely trifling; consequently the whole proceedings at Common Law, comparatively with present practice, but as it certainly ought to be, perfectly inconsiderable and within the compass of the multitude. But here it will be well further to notice, that what the profession may thus apparently lose, will be most amply made up to them, by a general appeal to their then good services.

XXIV. In all and every cause at Common Law, there must be, when required by writ of notice to the Defendant, within one calendar

calendar month after judgment in this Court, an appeal to a General Court of Equity.

CHANCERY.

XXV. And in order also to give this law a full and complete effect, by leading to the simplification of its practice, there must be established one and only one high Court of Equity, namely Chancery, as the general rule of Great Britain: thus in the first instance doing away all confounding distinctions of Chancery, Exchequer, or multiplied Courts, and with them their consequences, multiplied proceedings. Indeed the present process of this law is so glaringly faulty, that every hand and every heart throughout the whole kingdom, must join in reprobating it, as a system that would scandalize the most savage, the most ignorant, or the most despotic country: here lies our superior appeal, for the redressing of wrong—and lo! mark how it administers to our relief!—Fortune, however large, life, however long, falls the relentless sacrifice to this empty name of Equity, which
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'ere its judgment be ascertained, first (most strange perversion) appropriates to its own emolument, that, and sometimes more than that very property, for which the suit is made. Can the world produce an example more subversive of right? no—these Courts are at once our national scandal and our individual scourge. The end of the eighteenth century, a period of knowledge here!—impossible—mockery all—we must be a dastard People, wise only in our own conceit; the puppets, the very play-things of Chancellors and Exchequer Judges—for shame's sake let us wipe away this stain to our understandings; in order to which

XXVI. The whole process of the General Court of Equity must be thoroughly, from beginning to end, cleansed from the present astonishing iniquities; for which purpose it must be very highly simplified and curtailed into a regular, constant, rational course of practice, intelligible to common capacities.

XXVII. It is certainly proper, in a Court of Equity, to allow in particular, intricate, important cases, a considerable length of
time

time for full investigation, and the ascertainment of truth; but to delay judgment one day beyond that which is necessary to such purpose, is direct unwarrantable oppression: it must be therefore perfectly obvious from past and very sad experience, that it is most expressly requisite, to limit the time in question to a certain fixed period; it must be equally obvious, that the utmost extent that is here required, is that of discovering and producing witnesses or vouchers from the most distant quarter of the globe: to this end four years from the commencement of a suit in Chancery, may be fixed as the sufficient and the ultimate point, to which final judgment may be deferred.

XXVIII. It must also be understood to be the bounden duty and regular ostensible practice of this Court, to determine all causes that will fairly allow of determination, on the instant they may clearly and decidedly appear so to do:—of course there can be no stated period for the conclusion of causes, not requiring the extreme length of a four years discussion; but the
Court

Court herein must use their discretion, under the most punctual observance of the premises before mentioned in this article.

XXIX. The utmost expence of the whole law proceedings in this Court never, on any occasion, to exceed 500*l*. but the expence attending the production of witnesses, and the like, not included in that sum.

XXX. All proceedings and registers, whether in the Court of Equity, Common or Ecclesiastical Law, to be held and made in the English language; and an ultimate appeal from the Court of Chancery to the House of Lords, as at present.

THE COURT MARTIAL OR MILITARY LAW

XXXI. To remain as at present.

STATE TRIALS,

XXXII. To be determined and ended within one year from their commencement; it being totally and directly contrary to the Constitution of this Country, to waste the health and substance of any individual

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thereof,

thereof, in dilatory law forms and proceedings. The present instance of the trial of Mr. Warren Hastings the People are hereby forewarned to execrate, as a most dangerous precedent, pointedly destructive of the nearest and dearest privileges of their birthright—a *deliberate*, but a *speedy trial*. In these cases, away with long, florid, irrelative speeches and writings, only calculated for the selfish principle of founding the fame of the author:—in lieu of which, here introduce nought to bias the passions, but short, substantial, sound argument, directly in point—the much in a little.

Britons, Brethren, and Fellow-Countrymen! in the name of that gloried justice, which is so manifestly attached to the construction and institution of our boasted liberty, consider this matter well; and you will perceive, that on all protracted trials of this nature, the accused, and perhaps innocent person, (if even of moderate fortune) is either basely or thoughtlessly, but most surely unconstitutionally stripped of his property, and robbed of the very means of legally defending himself:—such are the expences, and such the deplorable situation
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of a prisoner of state. In the name of God let it not be.

OF LAW IN GENERAL.

XXXIII. It does not appear that there is a well founded argument in favour of continuing an old established maxim of practice, viz. that *custom* constitutes or supercedes the law of the land ; on the contrary, from this very cause has arisen a considerable degree of perplexity, confusion, and what is called the glorious uncertainty of the law ; and while this cause remains, any thing like a just and perfect simplification of our law is impossible. If the law says, weights, measures, and admeasurement shall be so and so, and custom says they shall not ; if the law says copyhold tenure shall be so and so, and custom says, it shall vary in every manor ; of what use is the act of the legislature ? if the law passed is proper, it is likewise proper that it should be generally enforced ; if not, it should, on the instant of discovery, be repealed, and that substituted in its stead that is so.

XXXIV. The law of landed tenures is at present so notoriously complex, that even a partial simplification is of the utmost consequence. At present we have three rights of tenure, while two of them only will answer every possible purpose; therefore, if we abolish one of these three rights, and that which we abolish be by far the most complex of the three, we shall obviously effect a considerable simplification, without any confusion to the two remaining tenures. The Villein services of the ancient feudal system, being now entirely done away, never to return, and a small pecuniary tribute of copyhold to the Lord of the Manor, substituted in lieu of it, this tribute may consequently be bought out at a fair value of so many years purchase, which instantly turns the copyhold into proper freehold; therefore, as copyholds are in a high degree irregular, confused, and now positively useless, it will be conspicuously beneficial to abolish this tenure in *toto*, leaving and substantiating only as the law of the land, the two remaining rights of freehold and leasehold; which comprising every possible requisite

quisite for every possible occurrence, and being regular in their action, as well as plain and simple in their explanation, must of course be found most materially to benefit the landed interest in particular, and by thus withdrawing whole volumes of law perplexities, the kingdom in general.

XXXV. The preceding article bearing hard upon the Lords of Manors, and as the patriotic sufferings of individuals, should at least have some token of recompence, it will be in every view most well to determine, fix, and grant, to the said Lords of Manors paramount, the absolute exclusive lawful right to kill, take, and destroy, at their own will and pleasure, in the proper seasons, every denomination of game within their said manors; and further, to grant them, their deputies, or whomsoever they may authorise that are otherways legally qualified, the positive right of hunting, shooting, coursing, and fishing, in every part of their said manors, free from all hindrance and molestation whatever, whether the land be their own property or that of others: but should any individual suffer more than a
necessary

necessary usual damage thereby, whether from malice or inadvertency, every such extraordinary damage to be valued and made good to the sufferer. Thus easily should we clear up and decide, a right at present generally admitted, although most strangely and inconsistently confused: nor could any tenant or landholder, subjected to the admission of this right, have cause of complaint; because under such custom and expected sufferance, they have, and do now take possession, and pay a price accordingly.

Dull phlegmatic minds, and bodies nailed to their seats by the long train of infirmities, the consequences of inactivity and effeminacy, may exclaim against sporting in general, as useless and injurious; and with spleen or sarcastic irony, decry both the mighty and the little Nimrod:—but these spiritless souls, whatever may be their conceit, are neither wise politicians nor of sound judgment. Sportive pleasures are almost the only incitement, that can induce independent fortunes to reside in remote situations; consequently without them, land must not only be less valuable, but the roads
would

would become impassable, and the country desolate, rude, and ill governed; on the other hand, the towns and cities would of course also be inconveniently and unhealthily thronged, decreasing population, increasing licentiousness, and at the same time effeminizing and deadening both body and mind. In short it is an incontrovertible political truth, that it is most materially requisite, to support, cherish, and maintain, in full force, the life, the ardour, the spirit, and the vigour of a People; *to which* sportive pleasures very highly contribute. Hence will be seen the palpable impolicy and indeed utter impossibility of an abolition of Game Laws; because the direct consequence of that would very shortly be, the total extirpation of every species of game throughout the country; for the case is not at present as heretofore; the high roads are now every where so good, that conveyances from all parts of the kingdom to London and every populous city and town, are always ready and convenient for packages of this nature; which with the present luxurious mode

mode of setting out tables, and the increase of population, renders it absolutely necessary that a restraint, ultimately beneficial to the class whom it restrains, shall continue to exist in full force ; nor in short can the privilege of killing game be extended in the smallest degree more generally to the People, than is now done, without totally defeating in the like manner the very purpose of the privilege; exclusive also of which, the industry, and of course the prosperity of the country, would assuredly by such an extension, receive for a time an evidently severe and injurious check ; a consideration, that even those who are restrained from sporting must allow, to be infinitely too important at all to hazard or to place in competition with the detrimental and shortlived object thereby to be obtained : and when lastly in addition to these arguments it is also considered, that the qualification to kill game has very much decreased in value (by the decrease in the value of money) from the sum originally instituted, thereby not admitting into the institution even such as were then

then not intended to be so; it is only reasonable to say, that every individual in whatever station of life, must inwardly feel himself fully contented and satisfied with these privileges and restrictions, knowing them to be granted and imposed from no degrading principle of a supposed natural superiority of one man, or a supposed natural inferiority of the other, but from a sensible participating conviction equally impressed on the minds of both, of mutual reciprocal and general benefit.

HOUSE OF COMMONS.

We must cautiously touch with discretion and judgment, this *one* of the *three* main pillars of the constitution; because as instituted, it was to the full as perfect as we can render it; and consequently all that remains for the present generation to effect, is, to establish in full vigour the spirit of perfection originally intended.

"To this purpose it must first be observed, that opulence and luxury will ever beget a
hurtful

hurtful and too powerful opposition to every Government. Young men of birth, who have spent or idly dissipated their fortunes, qualified or not, naturally look up to places and appointments of emolument as the dernier resort; most of whom will in the nature of things remain dissatisfied, and by their multiplied interests and friends, add an alarming chorus to the inimical cry:—Next observe, that this selfish necessitous influence, is but barely guarded against, in the construction of the Government of this Country; which to be beneficial, all will agree, must be sufficiently permanent, steady, firm, and effective; not to be shaken by shadows, nor blasted by the starving breath of prodigal necessity. Hence it is completely apparent, that in a Reform of the House of Commons, it would be death to the national welfare, to establish any resolutions that might tend to encroach upon, and weaken the executive Government;—administration must not be left at the weathercock-mercy of private interests, or it will be that of the moment only, and totally inadequate to the design of public benefit. Between this

this destructive popular influence on the one hand, and the undue corrupt extension of selfish official prerogative on the other, lies the finely-balancing point at which all Reformation should directly aim.

Happily, most happily for Great Britain, a constitutional incorrupt Parliament, constitutionally and incorruptly chosen, by the degree of unalterable power thereto attached, herein becomes at once the unerring needle and complete barometer. It is undeniably most proper, that the voice of a considerable majority of a People, ought ever to be the ruling dictator, and accursed be that Foreign Power that interferes to prevent it. By such a Parliament, this voice will unerringly be spoken; it equally serves the two opposite extremes; it presently checks and supercedes, by withholding supplies, corrupt and venal ministers, at the same time that it freely and cheerfully gives unsupplicated sanction, to such as act wisely and conspicuously for the benefit of the kingdom. More than this cannot be required; it is impossible.

Upon constitutionality and incorruption,
therefore

therefore, it is, that every good, or otherwise, every ill, must be dervied to the People by their Parliament ; or in other words, upon an implicit adherence to our most excellent original.

But time that changes all things has herein likewise wrought its mighty purpose. The barriers against interested venality, the greatest security of the Constitution, are now become mere empty scarecrows, the very jest alike of the sycophant patriot and courtier : we have only then to repair with eager assiduity these trusty fortifications, and our enviable constitutional citadel is rendered instantly impregnable ; and thus not by innovation, but by well-timed renovation, may we transmit to posterity, a system that is not to be surpassed by human wisdom. This renovation likewise, may be effected by the most plain, simple, infallible method, as follows :—

XXXVI. The pecuniary qualification of a vote for a representative, to be fixed at the exact sum, that shall be found upon true and just calculation, to be the identical equivalent to the value originally instituted, according

ording to the difference in the value of money at that period compared with the present.

XXXVII. The qualification of a Member of Parliament, to be established upon the same comparative calculation.

XXXVIII. The penalties on bribery at Elections, the same; or may even be increased, with the addition of imprisonment of both parties, to stigmatize strongly, and thereby prevent this dishonourable, destructive practice.

XXXIX. To confirm unalterably a septennial Parliament, that the country may not be in a continual ferment, and that the Representatives may have time to form a sound political judgment, as well as to see carried into execution and completed, the objects and purposes of their decisions:—here note that this term is no grant to prerogative; it is to the Parliament of the People; and the more firm, judicious, and respectable, it may be, by so much the more secure are their rights and privileges.

XL. The four last preceding articles being admitted and firmly determined, then,
but

but not otherwise, the long complained of decayed and unpeopled boroughs, may be excluded from representation, and that number either struck off from the present establishment of Members, or otherwise added to the county representtaions, or to populous towns that have now no representatives, whichever may be best approved. But should it be stated as an objection to this principle of equalizing in true proportion the old and new value of money, that it would occasion the requisition of an increase of pay from the army, navy, public offices and the like, it becomes necessary to point out and shew why such an objection would be totally ill founded, and of no weight : viz. Because the equalization in question costs the nation nothing, while it effectually strengthens the important barriers against corruption and venality; which barriers, are in fact the very essential preservers of the constitution: now on the contrary, the same principle applied to any part of the expenditure of the kingdom, becomes pointedly reversed; both injurious and insufferable; for however we
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may flatter ourselves with pleasant delusions, the load of debt upon this country is much too large, nor will this weighty irksome burthen diminish for any considerable length of time according to expectation; what experience has certified, may, and in this instance ever will be found substantiated, "that unforeseen circumstances will too assuredly arise to mar our golden prospects, and in spite of every endeavour, disappoint our hopes; holding up to our view a faithful mirror, that will shew us what it is, to incur and pass by in silence enormous irretrievable accumulations of debt;" till when, however, no other being left, we must be content to do our best—but from this much too certain prognostication, will be seen the impossibility of advancing Government pay in whatever line, so long as the present answers the full purpose. Who can wisely say the army, the navy, or any public salaries should be increased, while at the same moment every department in every line, is effectually and respectably filled? Such an argument, under such circumstances, and under such a load of debt, would be

wholly

wholly insupportable in every point of view; consequently there can be nothing to dread from any such suppositious demands, and thus at once dies away this futile objection.

Now further, however glaringly manifest, it may nevertheless be well pointedly to observe, that it is not the nibbling at petty alterations of manner or form, that can have even any sensible good permanent effect whatever; very much less to make firm and secure the grand purpose of a completely virtuous representation. Depend upon it, this is only to be had innocently and effectually, by reverting to the plain, broad principle, founded by our ancestors, upon rules so true, as to proclaim to the world their discerning wisdom; and it is now asserted with the most convicted confidence, that this plan is positively the only mode of harmlessly and thoroughly reforming Parliament, that ought or can be safely recommended to the People for their adoption; very materially because it establishes no new principle in the constitution, (which every other must) and no less materially, because it fulfils the best of all political maxims, that of
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leaving nothing to the precarious wheel of fortune.

There is one egregious and very dangerous mistake, in the opinion of a great number of persons in this kingdom, which is, that of a supposition that it is beneficial to place the Election of a Member of the House of Commons nearly with the indiscriminate multitude. It is true, this is the case at present; but it is likewise true, that this is the degradation of our Constitution; for actually hence arises principally the very necessity of any Reform; because the majority of this multitude must, in the nature of things, not only be irresistibly swayed by the most provoking of all stimulents, *Interest*; but also the assembling of this multitude continually leads to the commission of acts of tumultuous riot:—therefore, make laws upon laws, while this unconstitutionality exists, talk and write to eternity, vain will be your endeavours; bribery and corruption, confusion and disorder, will revel in all their wonted damnable display:—nature will prevail.

In proof of this, only call to mind one

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out of the numberless instances, the Westminster Election, and it must instantly decide your judgment :—But on the contrary, when the Election of a House of Commons shall be placed as the Constitution has originally wisely placed it, with those who may have had sufficient light thrown upon their minds by decent education ; with those whose circumstances in life set them above basely prostituting their honour and their country, at least for less than an ostensible and detectable bribe ; and likewise, what is no less important, with those whose judgment is decidedly less liable to err in the choice of a fit and able representative ; then, but not till then, will it be possible for the British House of Commons honourably to say, *We are the constitutional voice of the People.*

THE HOUSE OF LORDS.

The original cannot be bettered :—but against the aristocratical part of our Constitution the People have one very great, and very

very just cause of most heavy complaint; arising from the oppressive degenerate custom of appointing our Nobility to places of lavish emolument, the business of which being wholly transacted by Government Deputies at Government salaries, renders all such places and their possessors a burthen so completely unnecessary, and so strikingly imposing, that when the People, already labouring under a galling load of taxes, shall remonstrate loudly against this incroaching practice, they will do that which every honest man must applaud—What! to the expence of monarchy, fool-like to add the maintenance of aristocratic profligacy! nay, then may it indeed be said that republicanism is better: alas, poor England! blind merciless usage has so darkened the hue of a fair countenance, that the lustre of thy bright features are faintly to be discerned through this ignominious veil of perversion, in which they have too long been shamefully enveloped.

If then our Nobility are so absurdly weak, and child-like inattentive to their own interests, as to reduce their fortunes from
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whatever cause proceeding, to less than a clear 10,000l. per annum, then are they levelled to a standard inadequate to the support of that dignified rank; when infallible ill, and not good, must be the certain expectation of their public consequence:— then do they become an unconstitutional burthen, to be propt up by imposition, and arrogant encroachments upon the People; and of course no longer possessing the requisite independency, and no longer fulfilling the original intent of their titled calling, they should, on the instant they become so disqualified, be immediately reduced to the inferior rank, but no less honourable state of Commoners *. Thus, and only thus, may our Nobility be rendered truly respectable and independent; and thus corresponding with the intent of the establishment, should no man be ennobled, that has not a clear unincumbered income of 10,000l. per annum.

* By Commoner here understand the general class of Gentlemen.

THE KING.

His constitutional powers and limits are so finely and excellently balanced, that either to add or diminish would be in effect, wantonly to destroy this beautiful admired symmetry; while all that remains to be done, is to secure it lastingly and unimpaired.

That the Oligarchy of this country is well adapted to the genius and welfare of its People, experience will unanswerably certify: as therefore the Sovereignty, one of the three main pillars of the Constitution, centers of course entirely in a single individual, it is most necessary that the King should be stedfastly supported, in all that authoritative consequence ever to be unremittingly attached to the Crown of Great Britain; but at present, notwithstanding that plenty and even luxury superabounds in this our fertile clime, yet are the finances of the kingdom so fearfully backward, as to require the veryest parsimony in their management: consequently, as many of our Nobles will vie with Emperors in stile of living; our Commoners with Kings, and
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even our Tradesmen with Princes, it cannot, must not be, by a proportionate lavish expence, that the dignity of our Throne must be made to eclipse in gaudy trappings and glittering baubles, this excess of private profusion. By far more honourably will this be done, by strictly confirming to it, that high unalterable degree of awful unabating respect, that in no instance whatever should be omitted, The Royalty of Great Britain must be for ever held sacred, or what is the arm of one man against a multitude? and hence it is, that no offence against Majesty can constitutionally be overlooked. How absolutely unpardonable then are those Servants of the Public, whose duty it is to maintain and secure this necessary respect, to permit (whether by customary or present negligence, no matter) the Regal Pillar of our Constitution, to be set up as the butt of ridicule in almost every print-shop in London:—in troth, herein their puny services, deserve infinitely more of ignominy than this pen shall describe: the weakest of men generally have some thought, but these seem to have none;
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for observe this; Kings are not always feeling proof. Even as writings have expression, so have prints; and on this point, irritative expressions may, and will, under reigns less mild and placid than the present, be attended with baneful consequences, enmities between the King and his People; a greater evil than which cannot well be produced. Indeed it is obvious that the Houses of Lords and Commons, as of equal importance in the Constitution, should likewise be held free from such, and every other insult, and their high incorporated consequence maintained with the most rigorous punctuality.

But now for the opposite line:—

Those Rulers who suffer experience and great political examples to pass before them in review, without profiting by their consequences, leave ample ground to call in question their abilities as Statesmen, or the uprightness of their national intentions. Behold then, a great kingdom, that for many tedious years has been hoodwinked and screwed down, by the iron hand of most perverse despotism, until by the severity of pressure,

sure, the enfeebled voice of nature escaped from the unguarded chinks, proclaiming to their countrymen a due sense of their oppression; and thereby kindling a noble resentment, at wrongs usurped by those execrable ministerial monsters of the creation, who regardless of every tie of justice or humanity; regardless of the pangs of millions, infernally rend forth their tyrannous idiot-like pleasure, from the heart-rending tortures of the miserable multitude. Such has been France—now Kings look to it! mark the consequence, and the result will be this: that laws originally well intentioned, degenerate by time, and a frail covetousness of ministerial or sceptic power, into direct insufferable ills;—to force down these, there requires a dungeon to bury the living patriot, a Bastile for the pen of the enlightened, and a rack for the noble virtuous arm, that uplifts itself in indignant opposition; for the while of ignorant darkness, this may be sadly borne with a tinder-like weakness of spirit; but, one spark of substantial knowledge shed thereon, like the helpless infant that first looks round, hears, feels, treasures

up

up its observations, and lastly applies them to use and action; so do political truths blaze forth to the final destruction of those arrogant minions of an executive Government, who in the once aroused grasp of the injured Public, are little more than poor vain strutting shadows, mere wretched execrated victims, deservedly crushed in terrible example of the merited consequences of treacherous malversation and merciless oppression. Hence will be seen that with an enlightened People to be just is to be powerful; to be otherwise, is to bring down vengeance on the head of the foolhardy; and hence will be seen the inseparable necessity, of a scrutinizing regal attention, to the conduct and government of every Administration.

Kings not seeking an undue increase of prerogative, have hitherto supposed it meritorious, to use their forcible endeavours to keep even every worn out line of Government, in the old accustomed, beaten, easy train; without troubling themselves to consider how far some particular parts, may have deviated from the original good, although they may thereby have become the
very

very scourge of their People—these easy consciences are well contented with the continuance, so long as their disregarded subjects can, or will bear the yoke; nor until such remonstrances as are not to be trifled with, knock loud at their palace gates, will they frequently give ear to any existing evils:—but however this may be, it is not to be denied, that in all national compacts, duty is reciprocal, as well from the King to the Subject as from the Subject to the King.

The first of all kingly duties then, is that of alleviating the unconstitutional sufferings of their subjects, and of becoming openly and honourably, the actual primary promoters of such political reforms, as either by the will or neglect of predecessors, the difference of times and circumstances, or (what is ever wisely to be attended to) the inclinations of the majority of their People, may render necessary.

Had the old Government of France pursued such like measures, and have come nobly forward in good time, 'ere the sad murmur joined loud in rebellious chorus, and have granted voluntarily, a reasonable redress

dress of insufferable wrongs, that a child might then have seen would no longer be endured, happy, most happy would it have been for both the King and his People: this would have been truly great, truly wise, no less the glorious manifest interest of the Monarch, than inciting the satisfactory admiration, nay adoration of the People.

Such should ever be the majestic conduct of all rulers of nations, or such as France has experienced will ever be the consequence of a silly, vain, rash, impolitic attempt to outstride enlightened nature.

But now to return from this digression upon Kings in general, and apply the argument to the benefit of Great Britain.

George the Third, our reigning Sovereign, has by mildness and moderation so endeared himself to the Subjects of this realm, that small is the apparent remnant of gratitude that remains for him yet to call forth; but however, if any earthly consideration can render honour, glory, and renown to his Throne, and exalt him high in the universal love, it must be sought in the patronizing and promoting such principles,

as

as the general outline of this plan presents to view, which a discerning scrutiny will find to be calculated upon the strictest impartiality ; recommending only a necessary renovation of the Constitution, repairing the manifest depredations of time, and change of circumstances ; and thus redressing of consequent grievances, that cannot but be as evident to our most worthy Sovereign, as to every rational individual throughout the kingdom.

ON GOVERNMENT.

In the present state of the finances of this Country, much diligent circumspection is requisite in the distribution of the money, entrusted to the hands of Government for national purposes : was this properly investigated, as under such difficulties it undoubtedly ought, a very considerable saving might certainly be thereby obtained. It is true that such conduct would incur the displeasure of the interested ; but it is no less true, that it would do the highest honour to the disinterested abettors of so desirable,

firable, so universal a good : then indeed would the People have just reason to look upon Administration not as mostly their encroaching oppressors, but as their honourable benefactors—their trusty, and very worthy good friends.

Much is certainly to be done ; but where are the individuals so nobly patriotic, that will venture on an enterprize so fraught with the enmity of the interested, unless patronized by the duty of sovereign authority, as the common guardian ? For this, as an evident good then, let us hope and petition ; otherwise it must infallibly be the united work of a discerning People.

Manifest it must surely be to all, that so lucrative is the present establishment of government appointments in general, that the public welfare, the interest of the Kingdom, is absolutely trodden under foot, in the party struggles for their attainment. To expect Patriotism to stand in competition with annual idle Thousands, is a vain absurdity indeed : yet where duty and responsibility is attached, it is frankly acknowledged, liberal
should

should be the reward of meritorious public service : what is here then aimed at, is,

XLI. The absolute suppression of all such idle places and appointments, together with their burthenfome load of expence, as do not positively require the actual regular personal attendance of those who now wantonly enjoy their fruitless emolument.

XLII. Responsible principles in Administration, and all others, who have rendered the country essential important service, that manifestly claims national recompence, to be openly rewarded with an ostensible annual pension, adequate to their merit ; with this proviso, however, that their subsequent conduct does not run counter, and give just cause for the abolition :—but sneakingly to filch away thousands upon thousands from a poor oppressed and generous people, under the usual false stupid pretences, is the completion of dastardly corruption, and a high infringement of the original Constitution.

XLIII. There are very few of the Public Offices that will not admit of a considerable

able reduction in the number of their Secretaries and Agents. Merchants and traders of the first affluence require from their clerks and deputies a constant regular attendance from nine o'clock in the morning to the same hour in the evening, and frequently much later; what shadow of reason then can there be, why the Public Offices of a nation so fearfully in debt, should be more profuse than individuals in a flourishing state of opulence? the fact is, no just cause can be assigned for this unwarrantable inattention; consequently it is no more than an act of justice due to the People, inevitably to establish an equal general attendance on the national business, at all the Public Offices indiscriminately; or at least from nine in the morning to seven in the evening; and likewise at the same time annulling full one half of the red letter days or holidays, which by their frequency are also become a gross imposition on the Public;—by this means it will be perceived, that an evident reduction in the number and value of places is clearly and properly to be had, perhaps nearly equal to one third of the whole.

whole. Thus then does this object become no less importantly great, than the fortieth preceding article; and when conjoined therewith, surely all will allow to be highly worthy of arousing us from that indolent torpitude of stupid supineness, into which thoughtless pernicious custom has so deeply plunged us.

But now observe, what will be the remonstrance of the interested against the measure. This, say they, would be an act of injustice, for we have bought our places: Indeed!—what! in these reforming times of political improvement? Why then you have voluntarily committed an unjustifiable act of folly and error, with the consequences staring you full in the face; and after having done so, follow up the fault by modestly expecting the People to load themselves with extraordinary taxes, and shift from you to them the galling evils of such conduct: again however they say, our conduct in the purchase of our places was customary, and had the silent sanction of Government.

Here to the scandal of such proceedings

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it is written, there may be some feint ground for moderating their loss, although sustained by such underhand faulty practices; Government have, it is feared, in this respect been strangely negligent—yet where are the Ministers that dare to avow the betraying and putting up to sale, the interest and welfare of this country:—the rash presumers, if such were to be found, would poorly repay an arrogant political treason, by their unrelented suffering on the deadly block;—the act is completely impeachable.

From what has been thus shortly stated, it must be glaringly evident, that the sale of even the lowest places under Government, is in every point of view, attended by circumstances pointedly inimical to the general well-being, indeed it may be said, of any country; and the more so, as it gives rise to a very false supposition, that a place so purchased, entitles the holder to the unremitting continuance of its emolument: whereas the fact is directly the reverse; for places under Government, in this respect exactly like places under individuals, should instantly be liable to an expected discharge, the

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moment

moment such places can be possibly dispensed with; because they then become useless and burthenfome:—for these palpable reasons, therefore, it is, that this subject is particularly recommended to notice.

XLIV. All places that are irrevocably granted for life, are clearly impolitic and unconstitutional;—highly impolitic in the King, because once granted, these permanent places tend to set at defiance the royal donor; (witness an Earl lately deceased) and thereby essentially to weaken the Throne; which derogation of power is in a manifest degree dangerous, and totally contrary to the well being of Great Britain; for, as has been before observed, all the three branches of the Legislature in perfect equality, demand our most firm unalterable support.

Exclusive also of rendering the Crown disproportionably weak in common, it likewise points to the establishment of a fourth estate in the kingdom; by placing Administration too much above the controul of Majesty; a principle, the increase of which must ever be materially guarded against; further,

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it is unconstitutional, because all places that the Constitution allows, have a constant regular service attached to them; and the instant that service is misconducted, or improperly attended to, the Established Compact that instant displaces the possessor; which obviously just and necessary principle, is destructively subverted in all grants for life.

Wherefore is our mild, worthy, and gracious Sovereign, most humbly forewarned against this abuse of his prerogative, to his own and the country's prejudice.

XLV. To imagine that the general mass of People of this surely enlightened kingdom, have not a common sense of discernment, proclaims only the certain weak fallacy of such a supposition; common sense, then, must make them sufficiently to know, that whether they pay their quota to a requisite national income, by so many more pence, or so many less pounds sterling, the ultimate difference to every individual must be none, or at most very inconsiderable and immaterial; but as pence take two hundred and forty times the trouble in collecting and accounting for, that one pound sterling in

value occasions, by so much are large of-
fensible taxes preferable to small ones. In
times of ignorance repeatedly to take trifles
from the pocket of an inattentive dull Peo-
ple, might then be less missed or thought
of, than the equal less frequent call for sums
of obvious efficacy; but in periods of poli-
tical discussion like the present, the diffe-
rence can be none to the discerning People
—one and all being sufficiently apprized
that a certain value in money must be raised
upon them, and whether such be laid on by
driblets, or consolidated masses, the consi-
deration for the public mind can only be,
which of the two are the most productive,
and that so proved must infallibly be to them
the least objectionable. For the purpose,
therefore, of additionally decreasing the ex-
penditure of the kingdom, (an object never
to be lost sight of) it is, that the utmost pos-
sible consolidation of taxes is proposed; in
order to annihilate the innumerable atten-
dant costs and charges on the present mul-
titude of them, which now require such an
extraordinary number of appointed agents,
clerks, officers, &c. that the sum arising from
the

the imposts, is very nearly swallowed up in the vast expence they occasion; whereas one massy, effective, general tax, would leave infinitely more real surplus of gain than a variety of these trifles put together.

The consolidation of the customs, is also an object that would be highly beneficial to commerce, and therefore likewise devoutly to be wished.

XLVI. National punishments should ever be finely proportioned to all the various degrees of criminality for which they are imposed; they should also be inflicted with exactly so much absolute severity of bodily pain, as may be well judged or experienced to be competently adequate to the restraining and counteracting the evil inclinations of mankind, from a trifling misdemeanor, to the horrid acts of the most lawless minded ruffian. For murder, or perhaps even for other capital crimes, when aggravated by an intent and attempt to murder, or maiming and wounding; or for treason, because productive, perhaps, of general bloodshed; then, it is true, life or lives may be taken on the score of blood for blood; but for the
breach

breach of any common law whatever, made by fallible man, without such aggravation; to launch a wretch into dark eternity, and forcibly deprive him of that boon of life, which for reasons and purposes above our thoughtless, slender comprehension, it still pleases God to grant and continue to him, is so hardily flying in the face of Heaven, by an act of such palpable impiety, as must be shocking to every reflecting mind, and loudly calls for the reform of this enlightened age. God, who giveth life, wills that man until his calling shall live; but a poor mortal denouncer of law, thoughtless because those before him have been so, in the plenitude of his superior judgment, and emboldened with legislative authority, saith—No,—I decree that he shall not live. Presumptive People, know yourselves and tremble!

Hence it is, that the admonishing call of conscience so irresistibly doth work, as in spite of old and current usage, even now to deter mankind from prosecuting to conviction the most notorious villainies; rather submitting to imposture, loss of property, and

and the unmolested escape of the thus encouraged vagabond, than to become the occasional instrument of depriving him of life; hence pointedly it is also, why so many are without the least correction reprieved, and thus freed only to commit their round of iniquity on the subsequent day.

Most surely painful must likewise be to his Majesty, this continual conscientious selection and ultimate decision upon the lives of his subjects; for in the present general reprieves, are finally sealed the death of those who are not; whereas the Constitution only refers to the King, this use of his discretion, in such uncommon favourable instances, as clearly merit and lay full claim to the humane interference of the Sovereign. Thus it will be perceived that the intention is herein absolutely reversed; instead of a rare, occasional, deserved tempering of the law, the present practice lets loose the sons of plunder, free from smart, to confound all law:—this, however, is nothing more than the natural consequence of a punishment that shocks a thinking mind; and as before observed of laws, so with punishments; those
that

that, are too rigorous to be generally inflicted, will ever be found incompetent, while those that are mild, reasonable, and unremittingly put in execution, will triumph in overcoming the evils to which they apply.

We have full experience of the effect that bodily stripes produce in the general discipline of armies, and mankind are identically the same in armies or in kingdoms at large; therefore, when instead of the continual hanging of malefactors, which has now lost its dread, it is strongly recommended to substitute in its lieu, an unremitted discipline of evident strong lashing with bodily stripes, well proportioned according to the varied enormity of crimes; (in some atrocious cases even nigh unto death;) it must be remembered, that this recommendation hath experience, the teacher of wisdom, for its foundation. This may, however, be objected to by flimsy reasoning, as still more shocking than death itself, but it must be recollected, that its great and beneficial purpose is to shock, and so to warn: if this punishment is shocking, rapine and anarchy are still
more

more so—but hanging is presumptively impious and morally insupportable.

XLVII. The situation of malefactors released from imprisonment likewise requires consideration; at present this wretched class of beings are enlarged, without either money for their bare necessities, or the prospect of employment to procure them by their labour; consequently there seems no alternative for them but to thief or starve: to overlook thus a possible willing return to honesty and good faith is a national evil unworthy of a great People. To remedy this, public manufactures, works, and labours should certainly be established, whereat every indigent person of whatever description, either male or female, might procure, under such circumstances, an honest livelihood, (one degree only short of the common pay) until by their good conduct they might be able to better themselves: here, however, utility being the only and ever most worthy motive, no expensive public buildings are intended, (for with kingdoms in debt they are ever folly in folio) but merely such as may correspond with the deplorable frequenters; and

and it is thought that every expence, might by good regulations properly attended to, be fully returned, by the produce of the works carried on *.

XLVIII. Another grand point in the government of a kingdom, whereon by population the life and soul of it depends, is a sound establishment of matrimony, as nearly conformable to nature as may be consistent with reason and morality.

To the embracement of this estate, every clog* should be removed, and every true allurements held forth; but at the same time it should certainly be rendered as permanent, as the satisfaction and happiness of mankind will admit. Indeed it must be acknowledged a matter rather more than doubtful, however Great Britain and the World may be chained to a vain opinion of ancient custom, whether the French, though they may exceed the bounds of moderation, do not, in

* No stress, however, is laid upon this article, as it may be said to encourage villains and depredators; whereas, all such, on enlargement, may be passed to and maintained by their parish.

this respect take the lead of us in philosophy; for in truth, to fetter man and woman to each other for life, when very frequently both body and mind are secretly by nature opposed, does seem verily to be an insupportable act, equally contrary to wisdom, good policy, or religion: for here, instead of allurements, is produced a general deterring effect, inevitably detrimental; exclusive of calling the attention to the miserable lot of the multitudinous parties, that are thus strangely fixed to torment. Divorces, therefore, when proved to be at the earnest, considerate, free, and above all unenforced request of both parties, should at any time be granted, without further scruple, and provision made according to circumstances.

XLIX. To establish a register of seamen for the Navy, somewhat similar to the plan delivered by the author, about the year 1782, or 1783, to Lord Keppel, Lord Howe, the Duke of Portland, and the Marquis of Landsdown; and by this means to set aside the illegal, detestable practice of impressing and enslaving this class of People.

The plan alluded to is too long for insertion

tion here, but the principal article of it is to establish eighty, or an hundred thousand registered seamen, as a competency for the whole Navy of Great Britain; such of whom not being in Government service during peace, by certain proper regulations, are made to be at all times forthcoming whenever wanted; every registered seaman to receive a constant annuity of 4l. per annum, extra, peace or war, whether in the employment of Government or not; and as a part of this annuity, suitable annual naval cloathing, a sort of uniform, with either G R, or the ship's name to which they belong, conspicuously wrought on each article, viz. a jacket, waistcoat and trowsers, strong and cheap: observe, that owing to the number of them, this cloathing can be delivered to them cheaper, than any they can individually procure; it will therefore be to the sailors, more than equal to the entire receipt of the whole annuity of 4l. per annum each.

On the score of expence it must be noticed, that of the impress service, with all its multiplied contingent charges, is infinitely more heavy than is generally imagined; it must

must also be considered, that upon every war, or appearance of war, this monstrous expence is for ever to renew ; and therefore, most certainly, although this register now recommended, would require the annual sum of 400,000*l.* yet in the end, it would even be less expensive than the unconstitutional, scandalous practice now pursued ; and by the speedy effectual equipment of our fleets, be the ultimate means of saving to the nation both blood and treasure.

L. As a further internal regulation of material importance, is also recommended to notice, a plan of police, published by the author, in the Morning Posts of the 21st and 28th of June, 1792, as for Westminster ; which, however, if generally followed throughout the kingdom, proportioning the district to the number of inhabitants and extent, would be found sensibly beneficial to the Public. Justice should certainly be free of cost, and at the instant call of every appealing individual ; neither as certainly, should it be subjected to the convenient will of men of pleasure, and perhaps inability, nor of such whose abilities are left without restraint,

restraint, to dupe the multitude to their own emolument.

The leading feature of the plan in question, is to establish a Deputy Justice of the Peace, to be ever upon duty, and ready for the immediate relief of all complaints; who, with the superior Justices,* and the assistance of all Parish Officers (this assistance to be expressly fixed by act of Parliament) is to regulate the strict order of a given district—such Deputy to be paid by city, town, parish, or county rates, a suitable reward for his time and trouble; but neither to take bribe, fee, or reward whatever, except 1s. for every oath, in whatever prosecutions or cases may be brought before him; and if this Deputy be bred to the law he will be the better qualified. Thus, by taking from the office of Superior Justice of the Peace, the very great drudgery that is requisite in the superintending a dis-

* If for Westminster, six principal residents of a district or parish; and the parish where large to be divided into two districts: if for the country, the number to be proportioned to population and extent.

strict as a Police Officer, that appointment will be readily filled by Nobility and Gentlemen of the highest worth and abilities; these, also, will readily overlook, awe, and controul, by their occasional attendance, the conduct of the Deputy; thus, upon the whole, combining every needful good, and particularly enforcing the strictest attention to the regular order and conduct of districts or parishes, immediately under observance; being the grand point upon which all effectual police hinges. N. B. Nearly a similar plan was sent by the author to Mr. Pitt and Lord Thurlow, about the year 1789, or 1790.

It may probably appear, upon a superficial view, that the turf, or horse-racing is of too insignificant an import, to be pointed out here as a principal head of reform; yet when more closely examined, it must certainly be allowed, that the baneful effects which we have year after year seen (with indolent negligence) produced by its fascinating, though absurd influence on the minds and purses of multitudes, and even of our very Princes, both to their own sad
cost

cost and the public injury, well warrants a serious consideration. That this country should have to boast of the swiftest breed of horses in the world, is of much or little consequence, just as absolute positive benefit, or no benefit, would accrue therefrom : a race-horse, therefore, that is able to carry ten or twelve stone three or four mile heats, is to be highly regarded as a noble animal, most useful and pleasurable, either for turf, field, or road :—this only is the breed of race-horses that can be deemed an acquirement productive of real benefit, and as such are certainly well worthy of the national care and preservation. All race-horses of inferior bone, however, are not only passively of no benefit, but are truly in themselves a direct detriment to the kingdom ; because being too slender for any other purpose, than that of merely constituting a subject for betting, every acre of ground that is thus fruitlessly employed to rear and maintain this useless class of horses, becomes an evident loss to the community. That such loss is likewise at present materially considerable, is most certain ; for although
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the institution of races was very laudably intended to join pleasure and advantage hand in hand, to which end also the royal rewards for the fleetest horses of such strength, were very properly established; yet are these objects now so totally lost in the rage for betting, that the original intended advantage seems to be entirely forgotten; and as whatever horses are now bred to the turf, whether useful or useless, afford an equal opportunity of gratifying this destructive propensity, the consequence is, that where one horse has bone enough for a King's plate, fifty are reared that have not; by which it may well be imagined, what a prodigious actual waste of land there is, by the immense number of horses that are now bred to the turf, under the present insufficient laws and regulations of racing: therefore as well to prevent in future this unpardonably extravagant use of our very limited soil, as properly to confine the ruinous spirit of making unbounded bets upon running horses, which now seems to be placed entirely above all controul, whereby the honest and thoughtless are left open, and exposed,

posed to the superior chicane, artifice, and experience of the more knowing ones, it will be manifestly well to enact,

LI. That no person shall legally have more interest, by any means whatever, in any bet of greater value than 100l. sterling dependant on any part, or the whole, of the race of any one horse; and on proof of any such wager exceeding that sum, treble the bet so made to be forfeited by both, or all the parties concerned.

LII. That no horse shall start for any plate, purse, sweepstakes, match, or other interest, carrying weight less than ten stone; or for heats of less extent than three miles, or more than four miles.

LIII. That all plates, purses, sweepstakes, matches, or other interest, be not, upon any occasion determined by a single heat, but always by the best of three or more heats, in extent as above.

By the means of these necessary restrictions, it must be obvious, that the truly fine and noble breed of horses, for which this country has been so justly famed, as well for swiftness as for the most beautiful symmetry

metry and strength combined, will receive that attention and improvement from the breeders, which is pointedly necessary to the continuance of their excellence and preservation. By these regulations also will the true intent of horse-racing be restored to its pure originality ; at the same time that the weak and thoughtless will receive a happy check to their extravagant wagering, that may save very many of them from ruin and a prison : neither will our jockies so universally celebrated, and who in their particular talent may certainly challenge the world, be so much affected hereby, as they may very probably apprehend ; for when racing is cleansed of its destructive vice, it will lose that constant dread which now every thoughtful family entertains, when they perceive any individual thereof enter the lists of Newmarket ; the evident consequence of which will be, a more general support to the profession of jockeyship than at present ; and instead of gamblers and sharpers, an alluring assemblage upon the Plains of such respectable characters as will truly

truly restore grace and honour to the pleasures of the turf,

As the preceding fifty-three articles seem to include all the points of the British Constitution, which manifest a present necessity of investigation and reform; it must here be finally asserted, that in no instance whatever do the regulations therein recommended for adoption, invade the true positive spirit of the great original foundation; which, throughout the whole, is held completely sacred and inviolable; so far, indeed, from such invasion, that the articles in general, by superseding all injurious encroachments and subversions, most pointedly revert to the ancient, true system of Government, as intended to be established by our forefathers, for the very conspicuous welfare of us their posterity: therefore, whatever may be the difference of opinion respecting the various grounds of discussion, the author trusts there will be but one, respecting the propriety of detecting, and exposing, the deceit of all those high flown, glossy, but absurd panegy-ricks,

ricks, on the present superlatively faultless Administration, of the various parts of the British Government; by actually pointing out the several palpable, injurious defects, that in some instances even disgrace our understanding; at the same time also shewing, in what an easy sure manner they may be effectually remedied.

Therefore, as well may it be said, that it would be right to draw our ploughs by the tails of our horses, as to continue in these our present political errors; and as well may it be said at once, that all national evils wherever and whatever, are for ever to be considered as incurable, otherwise than by the blood of a People, as that the particulars of this plan, would occasion a tumultuous dissension in this solid, reflecting country; where every disinterested hand and honest mind must on the very contrary, unite in a cause so greatly the general interest to support and procure: a short enumeration, however, reducing the principle into one point of view, will best evince the truth of this assertion:—

To

To render the expence of our Church Establishment, proportionate, just and moderate.

To unite the kingdom, as much as possible, in religious tenet.

To secure a desirable harmony between the Clergy and Laity.

To do away the prejudicial rigour of our Ecclesiastical Law.

To give to the People their essential birth-right, a common law, open to and attainable by all.

To give to them also a Court of Equity, worthy of the name.

To secure to the People, the important right of a deliberate but a speedy trial, on all occasions whatever, whether of state trials or otherwise.

To reform the House of Commons, rendering it securely incorrupt, and honourably respectable.

To confine our aristocracy within proper bounds, at the same time attaching to them high respectability and their due weight in the Constitution.

To

To maintain to the Throne the necessary authority, with the most profound respect.

To proportion the expence of the Crown to the finances of the country.

To maintain the incorporated authority and respect likewise, of both Houses of Parliament.

To diminish the expenditure of the kingdom.

To suppress the imposition of all idle, useless places, and grant openly pensions and rewards where due.

To prevent all places from being bought and sold.

To suppress the unconstitutionality of granting places for life.

To consolidate the taxes and customs.

To substitute strong bodily lashing as the punishment of malefactors, in lieu of the impiety of hanging, except in cases of murder, &c.

To encourage matrimony, by granting reasonable divorces.

To establish a register of seamen for the Navy, in lieu of impressing and enslaving this class of People.

To

To reform the Police of the kingdom, by easing the present inconveniencies and expence of prosecutions.

To reform the Police of the kingdom, by the actual point on which alone good order hinges, viz. the prevention of crimes by the strict superintendence of a Deputy Justice, over a parish or district immediately under observance, aided by all Parish Officers and Superior Justices, all jointly and separately.

That these are noble attainments, worthy of the first attention, will doubtless be admitted on all hands; they are also so completely requisite to good Government, and so evidently deficient in our present system, that although they may here and there touch private interest; upon the whole, the advantage so strikingly preponderates, that neither King, Lords, Commons, or the People at large, can for a moment be reasonably divided in sentiment, upon objects that are so generally and universally desirable: indeed the various topics that are here presented to notice, are too completely obvious to render it at all necessary to enlarge copiously either on their unquestionable necessity,

cessity, or their auspicious efficacy : therefore the subject may now be closed with the following short exhortation :

As you value your political welfare and constitutional liberty, let not, my Fellow-Countrymen, such plain, important facts make a shadowy impression only upon your memory ; but retain a lasting sense of these indubitable rights and benefits to which ye were born ; and to the attainment of which there is every reason to look up with confidence ;—first, in the attentive patriotic benignity of the Reigning Sovereign ; next, in the deliberate wisdom of the Legislature, but ultimately with certain effect, in the general dispersion of political knowledge, when securely founded on truth, justice, and universal advantage.

FINIS.

and universal education.

when liberally founded on truth, justice,
general diffusion of political knowledge,
but ultimately with certain effect in the
in the deliberate wisdom of the Legislature,
sovereignty of the reigning Government; next
freedom—first, in the attentive possession
there is every reason to look up with con-
fidence; and to the attainment of which
inhabitable titles and denials to which we
memory; but retain a lasting sense of their
make a strong impression upon your
Constitution, such as it now stands, will
to individual liberty, I have no objection.
As you value your country, I shall regard

The following short extract from

celly, on their envious obloquy : there-